

1 **R277. Education, Administration.**

2 **R277-491. School Community Councils.**

3 **R277-491-1. Definitions.**

4 A. "Board" means the Utah State Board of Education.

5 B. "Candidate" means a parent or school employee who has
6 filed for election to the school community council.

7 C. "Contested race" means the election of members to a
8 school community council when there are more candidates than
9 open positions.

10 D. "Days" means calendar days unless otherwise
11 specifically designated.

12 E. "Develop school improvement plan and school trust
13 program and other programs" means to participate actively in
14 the creation of plans, including analysis of school assessment
15 data, development of School LAND Trust budgets, and review of
16 School LAND Trust expenditures under Section 53A-16-
17 101.5(5)(a)(iv) and 53A-16-101.5(6)(b)(ii) [; -t]. This may
18 include establishing subcommittees where needed or assigning
19 work to individuals.

20 F. "Most critical academic needs" for purposes of this
21 rule means a school's weakness(es) in [~~the areas of reading,~~
22 ~~writing, mathematics, science, social studies, technology,~~
23 ~~fine arts, foreign language, and career education in high~~
24 ~~schools]~~ academic areas for which there is a Utah Core
25 curriculum.

26 G. "Parent" means the parent or legal guardian of a
27 student attending the non-charter public school or of a
28 student who will be enrolled at the school in the next school
29 year.

30 H. "Parent member" means a parent or guardian of a
31 student who is attending the school or of a student who will
32 be enrolled at the school in the next school year if the
33 election is held in the spring. A parent member of a school
34 community council may not include a person who meets the

definition of a school employee member unless the person's employment at the school does not exceed an average of six hours per week, consistent with Section 53A-1a-108(1)(a)(ii).

I. "School administrator" means a school principal, school assistant principal or designee as specifically assigned by the school administrator.

J. "School community" means the geographic area designated by the school district as the attendance area with reasonable inclusion of the parents or legal guardians of additional students who are attending the school.

K. "School employee member" means a person employed at the school for more than an average of six hours per week by the school or school district; the principal is one school employee member.

L. "Secure ballot box" means a closed container prepared by the school for the deposit of secret ballots for the school community council elections.

M. "Student" means a child in public school grades kindergarten through twelve counted on the audited October 1 Fall Enrollment Report.

N. "Students attending the school" for purposes of this rule means students currently attending the school and those officially enrolled to attend the school in the next school year.

O. "USDB" means the Utah Schools for the Deaf and the Blind.

P. "USOE" means the Utah State Office of Education.

R277-491-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board and by Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

68 B. Local boards of education for school districts and the
69 State Charter School Board for state-sponsored charter schools
70 are fully responsible for school community council operations,
71 plans, oversight, and training.

72 [B]C. The purpose of this rule is to:

73 (1) provide procedures and clarifying information to
74 school community councils to assist them in fulfilling school
75 community council responsibilities consistent with Section
76 53A-1a-108(3);

77 (2) provide direction to school districts and schools in
78 establishing and maintaining school community councils whose
79 primary focus is ~~[improving educational excellence through~~
80 ~~team decision making by the principal and elected~~
81 ~~representatives of parents and staff]~~to develop, approve, and
82 assist in implementing school improvement plans, and advise
83 school/school district administrators consistent with Sections
84 53A-1a-108(3) and 53A-16-101.5;

85 (3) provide a framework and support for improved academic
86 achievement of students that is locally driven from within
87 individual schools, through critical review of testing results
88 and other indicators of student success, by establishing
89 meaningful, measurable goals and implementing research-based
90 programs and processes to reach the goals;

91 (4) encourage increased participation of the parents,
92 school employees and others that support the purposes of the
93 school community councils; and

94 (5) encourage compliance with the law in the election of
95 school community councils, in meeting reporting requirements,
96 in complying with open and public meetings requirements.

97 **R277-491-3. School Community Council Member Election**
98 **Provisions.**

99 A. Parents may stand for election as parent members of a
100 school community council at a school if their child(ren) are

101 attending the school or will be enrolled at the school in the
102 next school year if the community council election is held in
103 the spring.

104 B. Parents may vote for the school community council
105 parent members if their child(ren) are enrolled or will be
106 attending the school in the next school year, consistent with
107 the intent to encourage the greatest participation possible of
108 all available parents.

109 C. School community councils may establish procedures
110 that allow for ballots to be clearly marked and mailed to the
111 school in the case of geography or school distances that would
112 otherwise discourage parent participation. Hand-delivered or
113 mailed ballots shall meet the same timelines for voters voting
114 in person.

115 D. Entire school districts or schools may allow parents
116 to vote by electronic ballot. If school districts/schools
117 allow voting by electronic means, the opportunity shall be
118 clearly explained on the school district/school website
119 including:

- 120 (1) directions for electronic voting;
- 121 (2) security provisions for electronic voting;
- 122 (3) statement to parents and community members that
123 violations of a school district's/school's voting procedures
124 may disqualify a parent's vote or invalidate a specific school
125 election, or both.

126 E. Ballots and voting are required only in the event of
127 a school community council contested race.

128 F. School community councils are encouraged to establish
129 clear and written:

- 130 (1) procedures that are consistent with state law, Board
131 rules, and local board policies;
- 132 (2) procedures for the selection of school community
133 council chairs and vice chairs;
- 134 (3) timelines and procedures for school community council

135 elections that may include receiving information from
136 applicants in a timely manner; and

137 (4) additional clarification and procedures to assist in
138 the efficient operation of school community councils
139 consistent with the law.

140 **R277-491-4. School Community Council School/School**
141 **Administrator Responsibilities.**

142 A. A school administrator may not serve as chair or co-
143 chair of the school community council.

144 ~~[A]B. [A school administrator or designee shall assist~~
145 ~~a]The~~ The school community council chair ~~[with]~~ shall providinge
146 the following information to the school community, with
147 assistance from the school administration:

148 (1) Notice of dates and times of school community council
149 elections at least 14 days before the elections are held;

150 (2) Timely notice of school community council positions
151 that are up for election;

152 (3) Instructions for applying to become a school
153 community council member together with timelines for
154 submitting information and applications;

155 (4) Notice of the school community council meeting
156 schedule, provided in the first 14 days of the school year;

157 (5) A summary of the school community council's actions
158 and activities for the first half of the school year, provided
159 mid-way through the school year;

160 (6) An [summary of the] annual expenditure report [on how
161 the school's] of all School LAND Trust Program funds [were used
162 consistent with approved uses of the funds,] provided to the
163 school community and to the local board of education or State
164 Charter School Board in the fall of the school year following
165 the school year that the school plans ~~[was]~~ were implemented;
166 and

167 (7) Posting the school community council meeting

information (time, place and date of meeting; meeting agenda and previous meeting minutes) on the school's website at least one week prior to each meeting, and on the access door(s) of the school on the day of the meeting.

B. ~~[A school administrator shall assist a]~~The school community council chair, assisted by the school administrator, shall ~~[to]~~ provide information on the school website and in at least one other direct delivery method ensuring that all parents are notified as provided in Section 53A- 1a-108(7) (a) .

C. ~~[A school administrator shall assist a]~~The school community council chair, assisted by the school administrator, shall ~~[to]~~ act in compliance with the Utah Open and Public Meetings Act, Section 52-4-101 et seq., including posting upcoming agendas including location and minutes of the most recent meeting on the school's website at least one week prior to the meeting, posting the agenda and location on the school's access door on the day of the meeting, providing timely written minutes of the meeting, recording the meeting, and other required or appropriate activities. School community council responsibilities do not allow for closed meetings, consistent with the purposes of Section 52-4-205.

D. School community councils shall become familiar with and consider the following:

(1) Satisfying the meeting recording process with sensitivity for parents and community members whose primary language is not English; and

(2) The limitations of open and public meetings in secure or locked school settings and facilities.

R277-491-5. Parent Rights and Responsibilities.

A. Parents of students attending a school and to the extent possible, parents whose children will attend the school in the next school year (for spring community council

201 elections) shall receive notice of open school community
202 council positions and of elections consistent with Section
203 53A-1a-108.

204 B. Parents of students attending a school shall have
205 access to schedules, agendas, minutes and decisions consistent
206 with Sections 53A-1a-108(7) and (8).

207 C. School community council parent members shall
208 participate fully in the development of various school plans
209 described in Section 53A-1a-108(3) including, at a minimum:

210 (1) School Improvement Plan;

211 (2) School LAND Trust Plan;

212 (3) Reading Achievement Plan (for elementary schools)

213 (4) Professional Development Plan; and

214 (5) Child Access Routing Plan.

215 D. Parents shall receive timely notice of school
216 community council timelines and procedures that affect parent
217 member elections, school community council meeting information
218 and other parent rights or opportunities, consistent with
219 state law, Board rules, and local board policy.

220 **R277-491-6. Additional School Community Council Information**
221 **and Provisions.**

222 A. School community councils shall set the beginning
223 terms for school community council members consistent with
224 Section 53A-1a-108(5)(g).

225 B. School community councils shall report on
226 [projects]plans, [and]programs, and expenditures at least
227 annually to local boards of education and the State Charter
228 School Board and cooperate with the ~~[USOE,~~
229 ~~training,~~]legislative and USOE monitoring, and audits.

230 C. School community councils may establish procedures and
231 requirements for parent notification and election timelines
232 that are not inconsistent with Sections 53A-1a-108, 53A-16-
233 101.5, 52-4-101 et. seq., this rule, or local board policy.

234 D. Public schools that are secure facilities, juvenile
235 detention facilities, hospital program schools, and other
236 small special programs may receive all funds available to
237 schools with school community councils if the schools
238 demonstrate and document a good faith effort to recruit
239 members, have meetings and publicize results as recognized and
240 affirmed by local boards of education or the State Charter
241 School Board, or both.

242 E. School community councils may designate districts,
243 areas or grade levels in order to recruit school community
244 council members from all areas of the school community. If
245 parents from designated areas do not apply for the school
246 community council positions, positions shall be filled with
247 interested parents who do apply.

248 F. Local ~~[school]~~boards of education or the State
249 Charter School Board may ask school community councils to
250 address local issues at the school community council level for
251 discussion before bringing the issues to local ~~[school]~~boards
252 of education or the State Charter School Board. School
253 community councils may be asked for information to inform
254 local board decisions.

255 G. Local boards of education, and the State Charter
256 School Board for state-sponsored charter schools, have final
257 and absolute authority in ~~[many]~~local school governance issues
258 including ~~[school-district]~~employment, curriculum, finance
259 and budget, calendaring and planning decisions. School
260 community councils are encouraged to discuss these and similar
261 issues in order to advise and inform ~~[local]~~elected local
262 board members and the State Charter School Board; local boards
263 ~~[members]~~of education and the State Charter School Board make
264 final decisions in governing school districts, and charter
265 schools with superintendents, principals, and directors acting
266 under local board of education or State Charter School Board
267 direction and in behalf of local boards of education or the

268 State Charter School Board in all areas of governance
269 including implementing approved School Improvement and School
270 LAND Trust Program plans.

271 **KEY: school community councils**

272 **Date of Enactment or Last Substantive Amendment: [~~November 10,~~**
273 **~~2008~~]2009**

274 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3;**
275 **53A-1-401(3)**